

AMENDED IN SENATE MAY 12, 2004

AMENDED IN SENATE APRIL 27, 2004

SENATE BILL

No. 1730

Introduced by Senator Johnson

**(Coauthors: Senators ~~Escutia and Murray~~ Alpert, Ashburn,
Chesbro, Ducheny, Escutia, and Murray)**

**(Coauthors: Assembly Members Bates, Cox, Frommer, Houston,
and Maze)**

February 20, 2004

An act to amend Sections 316, 340, 1000, 1001, 1201, 1202, 1500, 6180, and 6952 of the Elections Code, and to amend Section 84200.4 of the Government Code, relating to primary elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 1730, as amended, Johnson. Primary elections.

Existing law requires that the statewide direct primary election be held on the first Tuesday in March in each even-numbered year. It requires that, in any year evenly divisible by the number 4, the statewide direct primary election be consolidated with the presidential primary held on the first Tuesday in March in those years. *Existing law establishes certain dates, including the first Tuesday after the first Monday in June of each even-numbered year, as mailed ballot election dates.*

This bill would instead require that the statewide direct primary election be held on the ~~last~~ first Tuesday after the first Monday in June of each year. *The bill would also establish the first Tuesday after the first Monday in March of each even-numbered year as an established mail ballot election date.* By requiring a higher level of service by local

elections officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 316 of the Elections Code is amended
2 to read:

3 316. “Direct primary” is the primary election held on the last
4 Tuesday in June in each even-numbered year, to nominate
5 candidates to be voted for at the ensuing general election or to elect
6 members of a party central committee.

7 SEC. 2. Section 340 of the Elections Code is amended to read:

8 340. “Presidential primary” is the primary election that is
9 held on the first Tuesday after the first Monday in June in any year
10 which is evenly divisible by the number four, and at which
11 delegations to national party conventions are to be chosen.

12 SEC. 3. Section 1000 of the Elections Code is amended to
13 read:

14 1000. The established election dates in each year are as
15 follows:

16 (a) The second Tuesday of April in each even-numbered year.

17 (b) The last Tuesday in June of each odd-numbered year.

18 (c) The first Tuesday after the first Monday in June in each
19 even-numbered year.

20 (d) The first Tuesday after the first Monday in November of
21 each year.



SEC. 4. Section 1001 of the Elections Code is amended to read:

1001. Elections held in June and November of each even-numbered year are statewide elections and these dates are statewide election dates.

SEC. 5. Section 1201 of the Elections Code is amended to read:

1201. (a) The statewide direct primary shall be held on the first Tuesday after the first Monday in June of each even-numbered year.

(b) Notwithstanding subdivision (a), in any year which is evenly divisible by the number four, the statewide direct primary shall be held on the ~~last Tuesday~~ *first Tuesday after the first Monday* in June and shall be consolidated with the presidential primary held in that year.

SEC. 6. Section 1202 of the Elections Code is amended to read:

1202. The presidential primary shall be held on the first Tuesday after the first Monday in June in any year evenly divisible by the number four.

SEC. 7. *Section 1500 of the Elections Code is amended to read:*

1500. The established mailed ballot election dates are as follows:

(a) The first Tuesday after the first Monday in May of each year.

(b) The first Tuesday after the first Monday in ~~June~~ *March* of each even-numbered year.

(c) The last Tuesday in August of each year.

SEC. 8. Section 6180 of the Elections Code is amended to read:

6180. At least 68 days before a presidential primary election, the Secretary of State shall transmit to each county elections official a certified list containing the name of each candidate who is entitled to be voted for on the ballot at the presidential primary, and the name of each chairperson of a steering committee of an uncommitted delegation who is to be voted for on the same ballot.

If no uncommitted delegation has qualified pursuant to Article 4 (commencing with Section 6060), the Secretary of State shall

1 inform the county elections officials to provide for an
2 uncommitted delegate space on the ballot.

3 The certified list shall be in substantially the following form:

4
5 Certified List of Presidential Candidates and Uncommitted Delegations

6
7 To the County Elections Official of ____ County:

8 I, ____, Secretary of State, do hereby certify that the following list
9 contains the name of each person who is entitled to be voted for as a
10 candidate of the Democratic Party at the presidential primary election to be
11 held on the ____ day of June, 20__, and the name of each chairperson of a
12 steering committee of an uncommitted delegation which is entitled to be
13 voted for on the ballot.

14
15 List of Presidential Candidates and Uncommitted Delegations

16
17 Linda Adams

18 Joseph Black

19 John Reardon

20 Unpledged delegation

21 Paul Minor,

22 Chairperson

23 Dated at Sacramento, California, this ____ day of ____, 20__.

24
25 (SEAL)

Secretary of State

26
27 ~~SEC. 8.—~~

28 SEC. 9. Section 6952 of the Elections Code is amended to
29 read:

30 6952. The certified list required by Section 6951 shall be in
31 substantially the following form:

32
33 CERTIFIED LIST OF CANDIDATES FOR PRESIDENTIAL
34 PREFERENCE PRIMARY AND CANDIDATES FOR
35 NATIONAL CONVENTION DELEGATE

36
37 To the County Elections Official of ____ County:

38 I, ____, Secretary of State, do hereby certify that the names of
39 the candidates to appear on the June ____, 20__, Peace and

Freedom Party presidential preference primary ballot, in the order in which they are to appear, are:

_____	_____
_____	_____
etc.	etc.

I further certify that the following list contains the name and post office address of each person who is entitled to be voted for at the June ____, 20__, Peace and Freedom Party presidential primary election as a candidate for delegate to the next national convention of the ____ Party with which the Peace and Freedom Party of California is affiliated on the national level. I further certify that the groups of candidates for delegate each appear under the name of the person for whom the group has expressed a preference as nominee of the Peace and Freedom Party for President, or under the name of the group chairperson in case of a group not expressing a preference, and that the groups are listed in the order in which they are to appear on the national convention delegate portion of the Peace and Freedom Party presidential primary ballot.

LIST OF CANDIDATES FOR NATIONAL CONVENTION
DELEGATE

PEACE AND FREEDOM PARTY

Candidates preferring	

Name	Address

Top of group	
1 _____	_____
2 _____	_____
3 _____	_____
etc.	etc.

1	_____	
2		
3	Candidates expressing	
4	no preference	
5	(Name of chairperson)	
6	_____	
7	_____	
8	Name	Address
9	_____	
10	Top of group	
11	1	_____
12	2	_____
13	3	_____
14	etc.	etc.

15 _____

16 Dated at Sacramento, California, this ____ day of ____, 20__.

17

18 (SEAL) _____

19 Secretary of State

20

21 ~~SEC. 9.~~—Section 84200.4 of the Government Code is amended

22 to read:

23 *SEC. 10.*

24 84200.4. In addition to other reports required under this

25 chapter, campaign statements shall be filed as follows in

26 connection with a statewide direct primary election held in June of

27 an even-numbered year or any other election held on that date:

28 (a) For the period ending September 30 of the year prior to the

29 election, a statement shall be filed no later than October 10 for the

30 period ending September 30.

31 (b) For the period ending December 31 of the year prior to the

32 election, a statement shall be filed no later than January 10 of the

33 year of the election.

34 ~~SEC. 10.~~—

35 *SEC. 11.* Notwithstanding Section 17610 of the Government

36 Code, if the Commission on State Mandates determines that this

37 act contains costs mandated by the state, reimbursement to local

38 agencies and school districts for those costs shall be made pursuant

39 to Part 7 (commencing with Section 17500) of Division 4 of Title

40 2 of the Government Code. If the statewide cost of the claim for

- 1 reimbursement does not exceed one million dollars (\$1,000,000),
- 2 reimbursement shall be made from the State Mandates Claims
- 3 Fund.

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